

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JASON ROLDAN,

Plaintiff,

-against-

THE STATE OF NEW YORK; THE
DEPARTMENT OF CORRECTION,

Defendant.

21-CV-4177 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated May 18, 2021, the Court directed Plaintiff to file an amended complaint within sixty days. That order specified that failure to comply would result in dismissal of the complaint. On June 25, 2021, the order was returned to the Court with a notation on the envelope indicating that the mail was not deliverable because Plaintiff was no longer held at that facility.

As Plaintiff has not complied with the Court's order, has failed to notify the Court of a change of mailing address, and has not initiated any further contact with the Court, written or otherwise, the complaint, filed *in forma pauperis* (IFP) pursuant to 28 U.S.C. § 1915(a)(1), is dismissed without prejudice.

The Clerk of Court is directed to mail a copy of this order to Plaintiff's last known address.¹

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf.*

¹ Because Plaintiff has not updated his address, in all likelihood he will not receive the order by mail. But it is Plaintiff's responsibility to find out the status of this case, *see In re WorldCom, Inc.*, 708 F. 3d 327, 329 (2d Cir. 2013) (Litigants ... have a responsibility to monitor the docket for the entry of orders they may wish to appeal."), which Plaintiff can do by calling the Clerk's Office or visiting in person.

Coppedge v. United States, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: August 6, 2021
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge